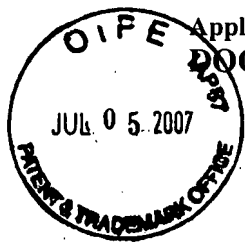


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Application No. 09/993,183
DOCKET NO.: 043826-0009

**PATENT
NOTICE OF APPEAL
PURSUANT TO 37 C.F.R. 41.31**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of Alan Gewirtz : Confirmation No. 6995
Serial No.: 09/993,183 : Group Art Unit: 1635
Filed: November 14, 2001 : Examiner: Kimberly Chong
For: POST-TRANSCRIPTIONAL GENE SILENCING BY RNAi IN MAMMALIAN CELLS :

DATE OF DEPOSIT: July 2, 2007

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Judith Matteo Edler
Judith Matteo Edler

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 41.31 *et seq.***

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 35 U.S.C. § 134(a) and 37 C.F.R. 41.31 *et seq.*, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Primary Examiner, mailed **March 30, 2007**, and finally rejecting claims 1, 2, 5, 7-9, 11 and 21-38.

The item(s) checked below are applicable:

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of to and through comprising an extension of the shortened statutory period of three months.

07/06/2007 RFEKADU1 00000027 09993183

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**PATENT
NOTICE OF APPEAL
PURSUANT TO 37 C.F.R. 41.31**

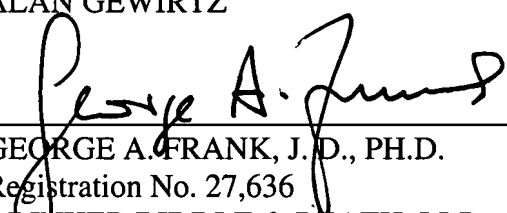
	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL as provided in 37 C.F.R. 41.20(b)(1)	\$250	\$250.00	\$500	\$0.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$0.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$0.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$0.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$0.00
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$0.00
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
TOTAL FEE DUE		\$250.00		\$

- ☒ A check in the amount of **\$250.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0573/.
- ☐ Please charge Deposit Account No. **50-0573/** in the amount of \$. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. **50-0573/**. This sheet is provided in duplicate.

Respectfully submitted,

ALAN GEWIRTZ

By



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